



Express Mail No. **EV333998154US**

**RESPONSE TO RESTRICTION
REQUIREMENT**

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attorney Docket (Confirmation No.)	LIFE-078 9292
First Named Inventor	KERMANI
Application Number	10/020,169
Filing Date	February 12, 2001
Group Art Unit	2858
Examiner Name	BENSON, Walter
Title: BIOSENSOR APPARATUS AND METHOD WITH SAMPLE TYPE AND VOLUME DETECTION	

Sir:

This is in response to the Restriction Requirement dated January 12, 2004. The Restriction Requirement set forth a one-month time period for response, making a response due on or before **February 12, 2004**. Accordingly, this response is timely filed.

I. REMARKS

In the Restriction Requirement, the Examiner required election of one of the following groups of claims:

- Group I: Claims 1-25, and 28 are drawn to an apparatus and method for measuring effective capacitance of biosensor, classified in class 324, subclass 658; and
- Group II: Claims 26-27, drawn to glucose measurement method for use with a biosensor, classified in class 204, subclass 406.

Applicants hereby elect to prosecute the claims of Group I, without traverse. Applicants expressly reserve the right under 35 USC §121 to file one or more divisional applications directed to the non-elected subject matter during the pendency of this application.

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